

\*E-FILED - 10/18/06\*

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

JOSE ALFREDO SOUZA,  
Defendants

) Case No. CR05-00285 RMW

)

)

)

) STIPULATION AND ☐  
) ORDER CONTINUING SENTENCING  
) HEARING

)

)

The United States, by and through its counsel MATTHEW HARRIS, and defendant JOSE ALFREDO SOUZA, by and through his counsel MICHELLE D. SPENCER, hereby agree and stipulate, with the Court's permission, that the defendant's sentencing hearing currently scheduled for Tuesday, October 10, 2006 at 9:00 a.m. be vacated and a new sentencing hearing date calendared for Monday, December 11, 2006 at 9:00 a.m.

United States Probation Officer Ben Flores was ill and therefore unable to complete the Presentence Report. The parties agree that a continuance is necessary to allow the Presentence Report

1 to be completed and disclosed pursuant to Court rules. Mr. Flores has indicated he is available on  
2 December 11, 2006.

3  
4 IT IS SO STIPULATED.

5  
6 Date: \_\_\_\_\_ /s/ \_\_\_\_\_  
7 MATTHEW HARRIS  
8 Special Assistant United States Attorney

9  
10 Date: \_\_\_\_\_ /s/ \_\_\_\_\_  
11 MICHELLE D. SPENCER  
12 Attorney for Jose Alfredo Souza

13 IT IS SO ORDERED.

14  
15  
16 Date: 10/18/06 /S/ RONALD M. WHYTE  
17 HON. RONALD M. WHYTE  
18 United States District Judge